IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.3774 OF 2003
ALONG WITH
APPEAL (LODGING) NO.692 OF 2003
IN
SUIT NO.2055 OF 1994

M.B. Kocha, Prop.of Cloro Control
Equipments Company ....Appellant

V/s.

Associated Road Carriers Ltd. ....Respondent

None for the Appellant.
None for the Respondent.

CORAM : A.P. SHAH AND
S.J. VAZIFDAR, JJ.

DATED : 11TH JANUARY, 2005.

P.C. :

1. The Applicant and his advocate absent.

2. The suit was filed against the Appellant for recovery of a sum of Rs.63,921=86 ps. along with interest at the rate of 18% p.a. including the principal amount of Rs.43,195/- from the date of suit till realisation. The Appellant put in appearance through his advocate. However, no written statement was filed and when the suit was posted for hearing

before the learned single Judge, the Appellant as well as his advocate remained absent. There is delay of nearly four years in filing the Appeal. The explanation for the delay is wholly unsatisfactory. In the circumstances, Notice of Motion as well as Appeal stand dismissed.